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EXAMINER
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NGUYEN, TOAN D

ART UNIT	PAPER NUMBER
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2472

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/777,773	<b>Applicant(s)</b> JONES ET AL.	
	<b>Examiner</b> TOAN D. NGUYEN	<b>Art Unit</b> 2472	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 13-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 13-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                        |                                                                   |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/25/09</u> .                                                | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-4, and 13-22 have been considered but are moot in view of the new ground(s) of rejection.

The applicant argues with respect to claims 19-22 on page 6, third paragraph that the applicants have amended claim 19 such that the DSL modem is not an element of the DSL router. The examiner disagrees. Claim 19 claimed a system comprising a DSL router and a DSL modem. However, the applicant's specification and drawings describe the system includes a DSL router or PPPoE modem. Therefore, the rejection of claims 19-22 under 35 U.S.C. 112, first paragraph are retained.

### ***Claim Rejections - 35 USC § 112***

2. Claims 19-22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 19, line 6, the limitation "a DSL modem" was claimed as an element of the system. No support for this feature could be found in the original specification.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Godse et al. (US 7,127,049) in view of Ji et al. (US 7,647,390) and Anne et al. (US 6,282,660) further in view of Ortega et al. (US 6,711,162).

For claim 1, Godse et al. disclose system and method for enhancing the activation of DSL service comprising:

detecting the presence of a powered-on network capable device (col. 5, lines 4-7) that is connected to a DSL modem (figure 2, references 102 and 104) on a local network (figure 3, reference steps 302 and 304, col. 7, lines 56-59);

establishing a network connection over a DSL line to a remote network (figure 2, reference 108) after detecting the presence of the network capable device that is connected to the DSL modem on the local network (col. 7, lines 59-62); and

disconnecting the network connection over the DSL line to the remote network after detecting an absence of one or more powered-on network capable devices of the

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at least one network capable device connected to the DSL modem on the local network (col. 6, lines 2-4).

However, Godse et al. do not expressly disclose the local network includes at least one network capable device that contains a graphical activation display icon to illustrate a connection status of the powered-on network capable device with respect to the DSL modem wherein in response to receiving a user command, the graphical activation display icon selectively connects the powered-on network capable device to the DSL modem. In an analogous art, Ji et al. disclose the local network (figure 1, PC 2, ADSL modem 4, DSLAM 6 means) includes at least one network capable device that contains a graphical activation display icon to illustrate a connection status of the powered-on network capable device with respect to the DSL modem (the ADSL state monitoring tool 26 install in the user PC 2, an application program, receives information on a current line state (a connection status) from the ADSL modem device driver 20 and visually displays (a graphical activation display means) the received information for the user, col. 4, lines 35-38).

One skilled in the art would have recognized the local network includes at least one network capable device that contains a graphical activation display icon to illustrate a connection status of the powered-on network capable device with respect to the DSL modem, and would have applied Ji et al.'s ADSL state monitoring tool 26 in Godse et al.'s DSL service. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Ji et al.'s automatic internet access method using digital subscriber line in Godse et al.'s system and method for enhancing

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the activation of DSL service with the motivation being visually display the received information on a current line state for the user (col. 4, lines 35-38).

Godse et al. in view of Ji et al. do not expressly disclose wherein in response to receiving a user command, the graphical activation display icon selectively connects the powered-on network capable device to the DSL modem. In an analogous art, Anne et al. disclose wherein in response to receiving a user command, the graphical activation display icon selectively connects the powered-on network capable device to the DSL modem (the lower left window 354 is displayed when the user points the cursor to the icon labeled "ADSL MODEM" in upper left window 352 and double clicks with the mouse 70 (response to receiving a user command means), and a text entry box labeled "Phone number" indicates that this connection is routed through an ASDL modem (the graphical activation display icon selectively connects the powered-on network capable device to the DSL modem means), figure 3B, window 354: ADSL modem, col. 5, lines 44-48).

One skilled in the art would have recognized the wherein in response to receiving a user command, the graphical activation display icon selectively connects the powered-on network capable device to the DSL modem, and would have applied Anne et al.'s desktop display image 350 in Godse et al.'s PC. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Anne et al.'s extending dial up networking paradigm to cover network connections in Godse et al.'s system and method for enhancing the activation of DSL service with the motivation being routed through an ASDL modem (col. 5, lines 44-48).

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Furthermore, Godse et al. in view of Ji et al. and Anne et al. do not expressly disclose releasing network resources supported by the remote network after the network connection is disconnected. In an analogous art, Ortega et al. disclose releasing network resources supported by the remote network after the network connection is disconnected (col. 11, lines 36-37).

One skilled in the art would have recognized the releasing network resources supported by the remote network after the network connection is disconnected, and would have applied Ortega et al.'s PPP termination request message 234 in Godse et al.'s DSL service. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Ortega et al.'s method and apparatus for providing proxy service, route selection, and protocol conversion for service endpoints within data networks in Godse et al.'s system and method for enhancing the activation of DSL service with the motivation being to terminate a connection to a service endpoint (col. 11, line 26).

6. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Godse et al. (US 7,127,049) in view of Ji et al. (US 7,647,390) and Anne et al. (US 6,282,660) and Ortega et al. (US 6,711,162) further in view of Roth (US 7,032,012).

For claims 2-4, Godse et al. in view of Ji et al. and Anne et al. and Ortega et al. do not expressly disclose assigning a dynamic lease to the network capable device. In an analogous art, Roth discloses assigning a dynamic lease to the network capable device (figure 3, reference 52 DHCP Server, col. 6, lines 42-44).

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Roth discloses further comprising determining when the dynamic lease expires (col. 9, line 52 as set forth in claim 3); further comprising terminating the network connection over the DSL line after detecting that the lease has expired (col. 5, lines 49-54 as set forth in claim 4); and further comprising a dynamic lease assignment module (figure 3, reference 52 DHCP Server, col. 6, lines 42-44).

One skilled in the art would have recognized the assigning a dynamic lease to the network capable device, and would have applied Roth's DHCP Server 52 in Godse et al.'s DSL service. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Roth's PPPOA spoofing in point-to-point protocol over ATM using an XDSL modem in Godse et al.'s system and method for enhancing the activation of DSL service with the motivation being to provide a communications protocol that lets network administrators manage centrally and automate the assignment of Internet protocol (IP) addresses in an organization's network (col. 4, lines 62-65).

7. Claims 13-14, 16, and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Godse et al. (US 7,127,049) in view of Ji et al. (US 7,647,390) and Anne et al. (US 6,282,660) further in view of Starr (US 6,470,059).

For claim 13, Godse et al. disclose system and method for enhancing the activation of DSL service, comprising:

a digital subscriber line router (figure 2, reference 104) detect the presence of a powered-on network capable device (figure 2, reference 102, col. 5, lines 4-7) that is



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connected to the DSL router via a local network (figure 3, reference steps 302 and 304, col. 7, lines 56-59);

a digital subscriber line between the DSL router (figure 2, reference 104) and remote network (figure 2, reference 108)(figure 2, reference 208, col. 4, lines 1-4), wherein a network connection is made over the digital subscriber line to the remote network (figure 2, reference 108) after detects the presence of the network capable device that is connected to the DSL router via the local network (col. 7, lines 59-62).

However, Godse et al. do not expressly disclose the local network includes at least one network capable device that contains a graphical activation display icon to illustrate a connection status of the powered-on network capable device with respect to the DSL router wherein in response to receiving a user command, the graphical activation display icon selectively connects the powered-on network capable device to the DSL router. In an analogous art, Ji et al. disclose the local network (figure 1, PC 2, ADSL modem 4, DSLAM 6 means) includes at least one network capable device that contains a graphical activation display icon to illustrate a connection status of the powered-on network capable device with respect to the DSL router (the ADSL state monitoring tool 26 install in the user PC 2, an application program, receives information on a current line state (a connection status) from the ADSL modem device driver 20 and visually displays (a graphical activation display means) the received information for the user, col. 4, lines 35-38).

One skilled in the art would have recognized the local network includes at least one network capable device that contains a graphical activation display icon to

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illustrate a connection status of the powered-on network capable device with respect to the DSL router, and would have applied Ji et al.'s ADSL state monitoring tool 26 in Godse et al.'s DSL service. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Ji et al.'s automatic internet access method using digital subscriber line in Godse et al.'s system and method for enhancing the activation of DSL service with the motivation being visually display the received information on a current line state for the user (col. 4, lines 35-38).

Godse et al. in view of Ji et al. do not expressly disclose wherein in response to receiving a user command, the graphical activation display icon selectively connects the powered-on network capable device to the DSL router. In an analogous art, Anne et al. disclose wherein in response to receiving a user command, the graphical activation display icon selectively connects the powered-on network capable device to the DSL router (the lower left window 354 is displayed when the user points the cursor to the icon labeled "ADSL MODEM" in upper left window 352 and double clicks with the mouse 70 (response to receiving a user command means), and a text entry box labeled "Phone number" indicates that this connection is routed through an ASDL modem (the graphical activation display icon selectively connects the powered-on network capable device to the DSL modem means), figure 3B, window 354: ADSL modem, col. 5, lines 44-48).

One skilled in the art would have recognized the wherein in response to receiving a user command, the graphical activation display icon selectively connects the powered-on network capable device to the DSL router, and would have applied Anne et

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al.'s desktop display image 350 in Godse et al.'s PC. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Anne et al.'s extending dial up networking paradigm to cover network connections in Godse et al.'s system and method for enhancing the activation of DSL service with the motivation being routed through an ASDL modem (col. 5, lines 44-48).

Furthermore, Godse et al. in view of Ji et al. and Anne et al. do not expressly disclose a digital subscriber line router including detection logic. In an analogous art, Starr discloses a digital subscriber line router (col. 3, lines 51-55 and col. 6, lines 2-4) including detection logic (figure 1, reference 40, col. 4, lines 52-63).

One skilled in the art would have recognized the digital subscriber line router including detection logic, and would have applied Starr's digital subscriber line router 36 in Godse et al.'s digital subscriber line router 104. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Starr's automatic filter for asymmetric digital subscriber line system in Godse et al.'s system and method for enhancing the activation of DSL service with the motivation being indicated a start-up failure if the modem does not detect satisfactory received signals within a predetermined time after application of input power, and in such case, the filter would be engaged, and the modem would attempt start-up again (col. 4, lines 59-63).

For claim 14, Godse et al. disclose wherein the digital subscriber line router terminates the network connection to the remote network over the digital subscriber line after detecting an absence of any network capable devices connected to the DSL router via the local network (col. 6, lines 2-4).

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For claim 16, Godse et al. disclose wherein the network connection is a point to point over Ethernet connection (col. 6, line 12).

For claim 19, Godse et al. disclose system and method for enhancing the activation of DSL service comprising:

the DSL router (figure 2, reference 104), wherein the DSL router is configured to determine whether a powered-on network capable device (figure 2, reference 102, col. 5, lines 4-7) is connected to the DSL router (figure 2, reference 104) on a local network (figure 3, reference steps 302 and 304, col. 7, lines 56-59);

a DSL modem, wherein the DSL modem is configured to initiate a connection to a remote network (figure 2, reference 108)(col. 7, lines 59-62) when the DSL router determines that at least one powered-on network capable device (figure 2, reference 102) is connected to the DSL router on the local network (figure 3, reference steps 302 and 304, col. 7, lines 56-59).

However, Godse et al. do not expressly disclose the local network includes at least one network capable device that contains a graphical activation display icon to illustrate a connection status of the powered-on network capable device with respect to the DSL router wherein in response to receiving a user command, the graphical activation display icon selectively connects the powered-on network capable device to the DSL router. In an analogous art, Ji et al. disclose the local network (figure 1, PC 2, ADSL modem 4, DSLAM 6 means) includes at least one network capable device that contains a graphical activation display icon to illustrate a connection status of the powered-on network capable device with respect to the DSL router (the ADSL state

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monitoring tool 26 install in the user PC 2, an application program, receives information on a current line state (a connection status) from the ADSL modem device driver 20 and visually displays (a graphical activation display means) the received information for the user, col. 4, lines 35-38).

One skilled in the art would have recognized the local network includes at least one network capable device that contains a graphical activation display icon to illustrate a connection status of the powered-on network capable device with respect to the DSL router, and would have applied Ji et al.'s ADSL state monitoring tool 26 in Godse et al.'s DSL service. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Ji et al.'s automatic internet access method using digital subscriber line in Godse et al.'s system and method for enhancing the activation of DSL service with the motivation being visually display the received information on a current line state for the user (col. 4, lines 35-38).

Godse et al. in view of Ji et al. do not expressly disclose wherein in response to receiving a user command, the graphical activation display icon selectively connects the powered-on network capable device to the DSL router. In an analogous art, Anne et al. disclose wherein in response to receiving a user command, the graphical activation display icon selectively connects the powered-on network capable device to the DSL router (the lower left window 354 is displayed when the user points the cursor to the icon labeled "ADSL MODEM" in upper left window 352 and double clicks with the mouse 70 (response to receiving a user command means), and a text entry box labeled "Phone number" indicates that this connection is routed through an ASDL modem (the

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graphical activation display icon selectively connects the powered-on network capable device to the DSL modem means), figure 3B, window 354: ADSL modem, col. 5, lines 44-48).

One skilled in the art would have recognized the wherein in response to receiving a user command, the graphical activation display icon selectively connects the powered-on network capable device to the DSL router, and would have applied Anne et al.'s desktop display image 350 in Godse et al.'s PC. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Anne et al.'s extending dial up networking paradigm to cover network connections in Godse et al.'s system and method for enhancing the activation of DSL service with the motivation being routed through an ASDL modem (col. 5, lines 44-48).

Furthermore, Godse et al. in view of Ji et al. and Anne et al. do not expressly disclose a network capable device detection module in a housing of the DSL router. In an analogous art, Starr discloses a network capable device (col. 3, lines 51-55 and col. 6, lines 2-4) detection module in a housing of the DSL router (figure 1, reference 40, col. 4, lines 52-63).

One skilled in the art would have recognized the network capable device detection module in a housing of the DSL router, and would have applied Starr's digital subscriber line router 36 in Godse et al.'s digital subscriber line router 104. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Starr's automatic filter for asymmetric digital subscriber line system in Godse et al.'s system and method for enhancing the activation of DSL service with the motivation

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being indicated a start-up failure if the modem does not detect satisfactory received signals within a predetermined time after application of input power, and in such case, the filter would be engaged, and the modem would attempt start-up again (col. 4, lines 59-63).

For claim 20, Godse et al. disclose wherein the network capable device detection module is further configured to detect an absence of a network capable device connected to the DSL router on the local network (col. 6, line 4).

For claim 21, Godse et al. disclose wherein the DSL modem is further configured to terminate a connection to the remote network when no network capable device is connected to the DSL router on the local network (col. 6, lines 2-4).

8. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Godse et al. (US 7,127,049) in view of Ji et al. (US 7,647,390) and Anne et al. (US 6,282,660) and Starr (US 6,470,059) further in view of Ortega et al. (US 6,711,162).

For claim 15, Godse et al. in view of Ji et al. and Anne et al. and Starr do not expressly disclose wherein the digital subscriber line router initiates release of network resources supported by a digital subscriber line network connection after the network connection has been terminated. In an analogous art, Ortega et al. disclose wherein the digital subscriber line router initiates release of network resources supported by a digital subscriber line network connection after the network connection has been terminated (col. 11, lines 36-37).

One skilled in the art would have recognized the wherein the digital subscriber line router initiates release of network resources supported by a digital subscriber line

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network connection after the network connection has been terminated, and would have applied Ortega et al.'s PPP termination request message 234 in Godse et al.'s DSL service. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Ortega et al.'s method and apparatus for providing proxy service, route selection, and protocol conversion for service endpoints within data networks in Godse et al.'s system and method for enhancing the activation of DSL service with the motivation being to release the resources associated with the logical connection (col. 11, lines 36-37).

9. Claim 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roth (US 7,032,012) in view of Wang et al. (US 6,636,505).

For claim 17, Roth discloses PPPOA spoofing in point-to-point protocol over ATM using an XDSL modem, comprising:

a DSL router (figure 4, reference 50 ADSL Modem) including lease assignment logic (figure 3, reference 52 DHCP Server, col. 4, lines 62-65) to dynamically assign a lease to a network capable device (figure 4, reference 10 Client PC) to permit subsequent connection to a remote network (figure 4, reference 40 NAS)(col. 4, line 66 to col. 5, line 1, and col. 6, lines 31-45) wherein the DSL router is connected to a local network (the ADSL modem 20 becomes the gateway IP address of local network same as the client PC 10 means, col. 8, lines 50-52); and

a digital subscriber line between the DSL router (figure 4, reference 50 ADSL Modem) and the remote network (figure 4, reference 40 NAS), wherein a network



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connection is made over the digital subscriber line after the lease assignment logic has assigned a lease (col. 6, lines 42-45) to the network capable device (col. 9, lines 44-47).

However, Roth does not expressly disclose the local network includes at least one network capable device that contains a graphical activation display icon to illustrate a connection status of the at least one network capable device with respect to the remote network and, in response to receiving a user command, the graphical activation display icon selectively connects the at least one network capable device to the remote network. In an analogous art, Wang et al. disclose the local network (A subscriber's customer premises equipment (CPE) 110 includes a personal computer that has an internal ADSL modem, the CPE 110 is connected to a server 130 (local network means), figure 2, col. 5, lines 25-29) includes at least one network capable device that contains a graphical activation display icon to illustrate a connection status of the at least one network capable device with respect to the remote network (a graphical interface for a CPE 110 service selection application (at least one network capable device that contains a graphical activation display icon means) to have concurrent connections (a connection status means) to different ISPs (remote network means), figure 6, col. 10, lines 55-59) and, in response to receiving a user command, the graphical activation display icon selectively connects the at least one network capable device to the remote network (power on, select service (the user selects the name of the desire service provider 100 or the graphical activation display icon selectively connects the at least one network capable device to the remote network means), and the select desire service provider steps are shown in figure 5: PPP

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conn\_request (user command or request means), PPP conn\_response (in response to receiving a user command means), send/receive, PPP session maintained, col. 10, lines 39-49).

One skilled in the art would have recognized the local network includes at least one network capable device that contains a graphical activation display icon to illustrate a connection status of the at least one network capable device with respect to the remote network and, in response to receiving a user command, the graphical activation display icon selectively connects the at least one network capable device to the remote network, and would have applied Wang et al.'s CPE 110 automatic service selection in Roth's CPE 10. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Wang et al.'s method for service provisioning a broadband modem in Roth's PPPOA spoofing in point-to-point protocol over ATM using an XDSL modem with the motivation being setup connection from CPE 110 to a provider (col. 10, lines 37-38).

For claim 18, Roth discloses wherein the digital subscriber line router (figure 4, reference 50 ADSL Modem) determines that the dynamically assigned lease has expired and terminates the network connection over the digital subscriber line after detecting that the lease has expired (col. 5, lines 49-54).

10. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Godse et al. (US 7,127,049) in view of Ji et al. (US 7,647,390) and Anne et al. (US 6,282,660) and Starr (US 6,470,059) further in view of Roth (US 7,032,012).

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For claim 22, Godse et al. in view of Ji et al. and Anne et al. and Starr do not expressly disclose wherein the DSL modem is further configured to terminate a connection to the remote network after an assigned dynamic lease has expired. In an analogous art, Roth discloses wherein the DSL modem is further configured to terminate a connection to the remote network after an assigned dynamic lease has expired (col. 5, lines 49-54).

One skilled in the art would have recognized the wherein the DSL modem is further configured to terminate a connection to the remote network after an assigned dynamic lease has expired, and would have applied Roth's DHCP Server 52 in Godse et al.'s DSL service. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Roth's PPPOA spoofing in point-to-point protocol over ATM using an XDSL modem in Godse et al.'s system and method for enhancing the activation of DSL service with the motivation being terminate the PPP-session connected to the client PC 10 and withdraws the global IP address from the client PC 10 (col. 5, lines 51-54).

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TOAN D. NGUYEN whose telephone number is (571)272-3153. The examiner can normally be reached on M-F (7:00AM-4:30PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/T. D. N./

Examiner, Art Unit 2472

/William Trost/

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